

Definitions

Anadromous Fish: Saltwater fish that return to fresh water systems to reproduce.

Angling: Fishing with hand line or rod, with naturally or artificially baited hook.

Open Periods: The dates when fish can be lawfully taken.

Fish: Any animal life inhabiting the ocean or connecting waters, including crustacea or marine fish, whether free swimming or free moving, any shellfish or sea worms, whether or not imbedded in the soil.

Coastal Waters Under the Jurisdiction of the Commonwealth: All the waters within the rise and fall of the tide extending out to three miles from an established coastal baseline and all the waters of Massachusetts Bay, Cape Cod Bay, and Nantucket Sound. It does not include the waters within or above any fish ladder or dam, or the waters above any tidal bound established by DEP in streams or rivers flowing to the sea.

Minimum Size Limits are measured as the greatest **straight** line (not curved over the body) length in inches as measured on a fish with its mouth closed from the anterior tip of the jaw or snout to the farthest extremity of the tail. Sea bass tail filament not included. For fish with forked tails, the upper and lower fork may be squeezed together to measure the tail extremity.

Snagging or Snatching: The taking of fish not attracted by bait or artificial lure with hooks, gangs or lures whether baited or unbaited, in a manner as to pierce and hook a fish in any part of the body other than the mouth.

Prohibitions

Snagging, Snatching of Anadromous Fish: including shad, smelt, white perch, striped bass, trout, and salmon, but excluding alewives or river herring is prohibited.

The taking of striped bass by any means other than hook and line is prohibited.

To “high grade” striped bass, i.e. the discard of dead, legal size striped bass is prohibited.

To retain live striped bass in the water by attaching to a stringer or placing in a live well or holding car.

The taking of billfish using other than a rod and reel is prohibited.

The taking of Atlantic Salmon, Sturgeon, all Marine Mammals, all sea turtles and the Diamond Back Terrapin from Massachusetts waters is prohibited.

For anyone, except the owner, to handle destroy or molest any lobster or crab pot or other fishing gear including any gear swept up on the shore, beaches or flats whether public or private, or to take fish therefrom is illegal.

To take lobsters, or crabs by trap, without a permit is illegal.

To sell, barter or exchange fish, or shellfish without a commercial permit.

Permits

Presently, there is no license requirement for recreational saltwater angling, however, a commercial permit is required when **any** fish or shellfish are sold, bartered or exchanged.

Non-commercial Lobster Permits are required to fish for or take lobsters for personal use, using a maximum of 10 pots. This authorizes the holder and members of the holder's immediate family, residing in the same residence, to fish for and take lobsters. The immediate family is defined as the spouse, parents, children, grandparents, sisters and brothers of the permit holder. This permit may be endorsed for **diving** by only the permit holder. Other family members may purchase additional permits for diving only.

Recreational Shellfishing is permitted in designated clean areas and regulated by the individual Towns. Contact your Town department of Natural Resources for local regulations and permit acquisition.

Note: A person may, without a special permit, use a small net of **no more than 200 square feet** inside those inshore waters listed in 322 CMR 4.02(2) or inside any estuary, embayment, salt pond, tidal creek, river, or an other similar body of inshore water for the sole purpose of obtaining bait fish for personal use.

Tuna and Billfish

Atlantic Tuna and billfish are regulated by the federal government. The tuna program is based at: National Marine Fisheries Service Atlantic Tunas Program, Northeast Regional Office, Gloucester, MA 01930-2298. Call 1-888-USA-TUNA for further information.

DMF Recreational Fisheries Research Programs

Tagging - Periodically the Division conducts tagging studies of a particular finfish species to develop a better understanding of local movements, habitat preference, migration, growth, and general abundance. The angler plays a significant role in retrieving valuable data. Carefully examine your catch for tags. If found, record the tag number if returning fish to water, or snip off the tag if keeping fish. Contact the address printed on the tag and you will be briefed on the tagging study and may even receive a reward. Note: Recently, cod, striped bass, winter flounder, tautog and cunner have been tagged in our waters. The Division participates in federal tagging programs as well.

Saltwater Fishing Derby - Our Division sponsors an annual fishing derby. Contact our Pocasset office for details.

Catch & Release - The Division encourages the proper handling of fish that are to be released. Catch and release practitioners should follow accepted handling conventions such as reduced play time, minimizing exposure to air, and minimizing physical damage from hooking and handling to ensure the highest possible chances for survival.

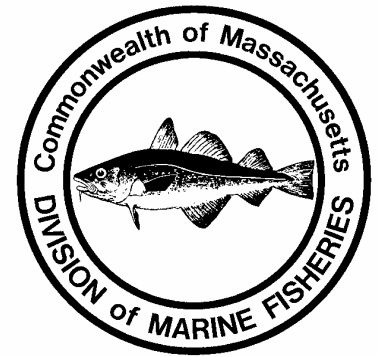
Commonwealth of Massachusetts <u>Division of Marine Fisheries</u>	
Boston Headquarters 251 Causeway Street, Suite 400 Boston, MA 02114 (617) 626-1520 FAX: (617) 626-1509	
<u>Recreational Fisheries Program Biologists</u>	
Annisquam River Station 30 Emerson Avenue Gloucester, MA 01930 (978) 282-0308 FAX: (617) 727-3337	Southeast Marine Station 50 A Portside Drive Pocasset, MA 02559 (508) 563-1779 FAX: (508) 563-5482
<i>Brad Chase - North Shore</i>	<i>Paul Caruso - Cape Cod</i>
	<i>- South Shore</i> <i>- Wareham to Westport</i>
Martha's Vineyard Office P.O. Box 68 Vineyard Haven, MA 02568 (508) 693-4372 FAX: (508) 693-4157	
<i>Greg Skomal - Islands</i>	

DMF Homepage: http://www.mass.gov/marinefisheries
<u>Division of Law Enforcement</u>
Hewitts Cove.....(617) 727 - 0882
Radio Room.....(617) 727 - 6398
North Coastal Bureau..... (978) 283 - 7764
Toll free Number..... 1 - 800 - 632 - 8075

For more information see chapter 130 of the Massachusetts General Laws and Code of Massachusetts Regulations, Title 322.

The rules and regulations are subject to change without notice. Contact the Division of Marine Fisheries for current regulations or visit our web site.

Massachusetts Marine *Recreational Fishing* Information May 2004



Paul J. Diodati
Director

**Department of Fisheries, Wildlife & Environmental
Law Enforcement**

Mitt Romney, *Governor*
Ellen Roy Herzfelder, *Secretary EOE A*
David M. Peters, *Commissioner DFWELE*

Massachusetts DMF <i>Recreational</i> Finfish & Shellfish Restrictions for 2004				
SPECIES	NOTE	MIN. SIZE	OPEN PERIODS	POSSESSION LIMITS
AMERICAN EEL		6"	All year	50 fish
AMERICAN SHAD	(1)	None	All year	6 fish
BLACK SEA BASS		12"	5/10 – 12/31	20 fish
BLUEFISH		None	All year	10 fish
COD	(6)	22"	All year	10 fish
FLUKE		16½"	All year	7 fish
HADDOCK		19"	All year	None
PLAICE (DAB)		14"	All year	None
RIVER HERRING	(5)	None	(5)	25 fish
SCUP	(3)	10"	1/1 – 10/6	40 fish or 80 per vessel
SMELT	(1)	None	6/16-3/14	None
STRIPED BASS	(1,2)	28"	All year	2 fish
TAUTOG		16"	All year	3 fish
TUNA AND BILLFISH	See note on reverse side and note 1 below			
WEAKFISH		16"	All year	10 fish
WHITE PERCH		8"	All year	25 fish
WINDOWPANE FLOUNDER		12"	All year	None
WINTER FLOUNDER	(4)	12"	Mar. 1 – April 30 May 1 – Feb 28	3 fish 8 fish
YELLOWTAIL FLOUNDER		13"	All year	None

- Notes:**
- (1) Striped bass are to be taken by hook & line only, all billfish by rod & reel only, shad and smelt by angling only.
 - (2) Striped bass must be transported with head, body and tail intact - mutilation in such a way as to interfere with proper and adequate measurement is not permitted. The discard of dead, legal size striped bass, i.e. high-grading, is prohibited.
 - (3) Scup has a recreational limit of 40 fish per angler with a maximum of 80 fish per private vessel with two or more fishermen on board. Anglers on board party charter boats are allowed 100 scup per angler from May 1 - June 30, 2004, only.
 - (4) Mt. Hope Bay is open 4/13-5/19 & 9/28-10/28 and has a 4 fish possession limit consistent with RI regulations.
 - (5) Alewife and blueback herring may be caught in state controlled runs on Mondays, Wednesdays, Fridays and Saturdays by hand-held dip nets only. These rules do not apply to locally controlled fisheries.
 - (6) Consult the DMF web site for possession limits for party charter boats fishing the EEZ.

Finfish Minimum Size Limits are measured as the greatest straight line (not curved over the body) length in inches as measured on a fish with its mouth closed from the anterior tip of the jaw or snout to the farthest extremity of the tail. For fish with forked tails, the upper and lower fork may be squeezed together to measure the tail extremity. Exception: black sea bass, where the tail filament is not included.

SPECIES	MINIMUM SIZE	OTHER RESTRICTIONS
BLUE CRAB	4 1/8" shell width (spine to spine)	egg bearers cannot be taken; 50 crabs/day; no license required unless using traps; closed season is 1/1 - 4/30 inclusive
OTHER EDIBLE CRABS (excludes green crabs)	None	same as for blue crab
LOBSTER	3¼" carapace minimum length 5" carapace maximum length for lobster taken from Lobster Conservation Management Area 1	egg bearers cannot be taken; v-notched female lobster cannot be taken; state license required
BAY SCALLOP	well defined growth ring	consult town regulations
CONCH	2¾" shell width	consult town regulations
OYSTER	3" longest shell diameter	consult town regulations
QUAHOG	1" shell thickness	consult town regulations
SEA SCALLOP	3½" shell height	daily limit of 1 bushel in shell, or 4 quarts of shucked meats
SOFTSHELL CLAM	2" longest shell diameter	consult town regulations
SURF CLAM	5" longest shell diameter	consult town regulations

Regulations are subject to change; visit web site @ www.mass.gov/marinefisheries or phone @ (617) 626-1520.